

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 2292 - HB 2492**

March 4, 2020

**SUMMARY OF ORIGINAL BILL:** Enacts the Protection of Private Property and Sporting Rights Act (Act). Limits the authority of wildlife resource officers (officers) to enter any privately owned property. Prohibits officers from confiscating, taking into possession, or holding any private property, including, but not limited to cash, vehicles, weapons, tools, or wild game without documentation and corroboration that a felony offense has been committed and the presence of a local law enforcement officer. Establishes that any evidence obtained from a search and seizure in violation of the provisions of this Act is inadmissible in any judicial proceeding. Establishes that any arrest made from a search and seizure in violation of this Act invalid. Makes any officer personally and civilly liable for any offense in violation of this Act, including illegal entry onto private property.

**FISCAL IMPACT OF ORIGINAL BILL:**

Decrease State Revenue - \$181,029/Wildlife Resources Fund

**SUMMARY OF AMENDMENT (015496):** Deletes all language after the enacting clause. Requires that full-time wildlife resource officers charged with enforcing wildlife laws must have a search warrant to inspect the interior of an automobile.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

Decrease State Revenue - \$900/FY20-21 and Subsequent Years/  
Wildlife Resources Fund

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 70-6-101(c), full-time wildlife resource officers charged with enforcing wildlife laws cannot currently inspect a person's dwelling or place of business without a search warrant.
- This legislation will also require a search warrant to inspect the interior of an automobile.
- It is unknown how many citations are issued following an inspection of the interior of a vehicle.

- For purposes of this analysis, it is assumed that this legislation will result in a decrease in citations issued and collected equal to 10 citations per grand division, or approximately 30 citations statewide (10 citations x 3 grand divisions).
- The cost of a citation ranges from \$10 to \$50, or \$30 on average.
- A decrease in state revenue to the Wildlife Resources Fund in FY20-21 and subsequent years of \$900 (30 citations x \$30).
- Any impact on the number of licenses issued is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jdb